

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

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**THOMPSON'S GAS & ELECTRIC  
SERVICE, INC., a Maryland corporation,  
REGIONS PROPANE-ALABAMA, LLC, an  
Alabama Limited Liability Company,  
SUBURBAN GAS PROPANE PARTNERS,  
LLC, a Maryland Limited Liability  
Company, SHELBY PROPANE GAS  
COMPANY, INC., an Alabama corporation,  
and DEUPREE GAS, INC., an Alabama  
corporation,**

**Plaintiffs,**

**v.**

**BP PRODUCTS NORTH AMERICA, INC.,  
DONALD CAMERON BYERS, MARTIN  
MARZ, JAMES SUMMERS, MARK  
RADLEY, DENNIS ABBOTT, and CODY  
CLABORN,**

**Defendants.**

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**Case No. 08-CV-2693**

**Judge James B. Moran**

**Magistrate Judge Arlander Keys**

**NOTICE OF MOTION**

TO: Stephen W. Heil  
John P. Palumbo  
Cray Huber Horstman Heil & VanAusdal LLC  
303 West Madison Street  
Suite 2200  
Chicago, Illinois 60606

PLEASE TAKE NOTICE that on July 3, 2008, at 9:15 A.M., or as soon thereafter as counsel may be heard, counsel for Defendant Donald Cameron Byers shall appear before the Honorable Judge Milton I. Shadur, or any Judge or Magistrate Judge sitting in his stead, in the courtroom normally occupied by him in the United States District Court for the Northern District of Illinois, Eastern Division, 219 South Dearborn Street, Chicago, Illinois, and shall then present

the concurrently filed **AGREED MOTION FOR EXTENSION OF TIME FOR DONALD CAMERON BYERS TO ANSWER OR OTHERWISE RESPOND TO PLAINTIFFS' COMPLAINT** which was filed with the Court and served on counsel of record on June 25, 2008.

DATED: June 25, 2008

Respectfully submitted,

/s/ Michael L. McCluggage

Michael L. McCluggage

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*Attorneys for Defendant Donald Cameron  
Byers*

**CERTIFICATE OF SERVICE**

I hereby certify that on June 25, 2008, I caused a true and correct copy of the foregoing **NOTICE OF MOTION** to be filed electronically and a true and correct copy served upon the following counsel of record in the manner indicated:

**By Operation of the Court's ECF System**

Stephen W. Heil  
John P. Palumbo  
Cray Huber Horstman Heil & VanAusdal LLC  
303 West Madison Street  
Suite 2200  
Chicago, Illinois 60606

/s/ Michael McCluggage

Michael McCluggage